FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.1057 OF 2003

Office notes, office Memoranda of Coram, appearance, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

Ms. M.M. Mhatre, APP. for the State.
Mr.V.V.Purwant for the Respondents.

CORAM : R.S. MOHITE, J.
DATED : FEBRUARY 6, 2006.

P.C.

1. This is an appeal filed by the State impugning a judgment and order dated 10.1.2003 passed by the Special Judge, Solapur acquitting the accused for an offence punishable under Section 7 and 13(2) read with 13(1)(d) of the Prevention of Corruption Act. On perusal of the impugned judgment and order it appears that the same has been passed on cogent and acceptable reasons. According to the complainant, first demand of bribe was made on 13.1.1999 and the amount was to be paid on 16.1.1999. The Trial Court has noted that this is an improvement as

there is no reference of demand dated 13.1.1999 in the complaint. The second demand said to have been made on 15.1.1999 but the court has observed that there could not have been such demand because licence for kerosene was given on 15.1.1900. The bribe amount according to the complaint was given to accused on 15.1.1999. Apart from this, as far as acceptance is concerned, the reliance is placed on the admission given by the Investigating Officer to the effect that the accused was permitted to collect flag day collection. The Investigating Officer has further admitted that the accused had supplied flag day tickets. The complainant admitted that the amount was collected for flag day collection and he also purchased flag day tickets every year. In the circumstances, not a fit case to interfere in the impugned judgment and order. Hence, leave refused and consequently, the appeal is rejected.

(R. S. MOHITE, J.)